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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,753

07/14/2006

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Q93258

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23373 7590 02/28/2008  
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EXAMINER

UBER, NATHAN C

ART UNIT

PAPER NUMBER

4143

MAIL DATE

DELIVERY MODE

02/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/568,753	<b>Applicant(s)</b> MEBRUER, ROBERT	
	<b>Examiner</b> NATHAN C. UBER	<b>Art Unit</b> 4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 1,2,10,17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>22 February 2008</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the filing of items required for a complete national stage entry application, those items filed on 14 July 2006.
2. Claims 1-26 are currently pending and have been examined.

### **Information Disclosure Statement**

3. The Information Disclosure Statement filed on 22 February 2006 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

### **Drawings**

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign mentioned in the description: P2; and because they include the following reference character not mentioned in the description: 118. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Specification**

5. The abstract of the disclosure is objected to because it was not provided on a separate sheet and because it contains self-evident clauses. Correction is required. See MPEP § 608.01(b).

### **Claim Objections**

6. Claims 1, 2, 10, 17 and 18 are objected to because of the following informalities: the claims contain various grammatical errors such as *...detected consumers it therefore able to...* and words are repeated or used redundantly such as the phrase *...the said...* Appropriate correction is required.

### **Claim Rejections - 35 USC § 112**

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
8. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
9. Claims 1-26 are replete with limitations for which there is insufficient antecedent basis. The following is a list of limitations used repeatedly throughout the claims that lack antecedent basis.
- Consumer/s
  - Individual consumer's...
  - Offer
  - Target offers
  - Central station
  - First processor
  - File
  - List
  - User's identifying data
  - Data
  - Database

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- Office server
- Store server
- Checkout terminal

10. Claims 7 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because the terms *SMS*, *EMS*, or *MMS* are not defined in the specification. For the purposes of examination, examiner interpreted the terms to mean short message service, enhanced message service and multimedia message service respectively.

#### **Claim Rejections - 35 USC § 102**

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.
13. Claims 1-6, 17-20, 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Millikan (U.S. 2003/0105667).

#### **Claim 1:**

Millikan, as shown, discloses the following limitations:

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- *a detection device for detecting consumers, in proximity to a location where merchandise is available to the consumers, without requiring interaction by the consumers (see at least ¶0021, "...a consumer detection and/or identification system..."),*
- *an output device for supplying a message to a detected consumer, providing offers available at the location to the consumer (see at least ¶0021, "...a plurality of message providers..."),*
- *wherein the detected consumers it therefore able to receive offers without physical interaction on his or her part, and to avail himself or herself of the offers contained in the message at the location (see at least ¶0026, "...system does not require active participation by the consumer...").*

**Claims 2 and 18:**

Millikan, as shown, discloses the following limitations:

- *said location is a retail outlet, a mall, food court or event area (see at least ¶0021, "...establishment... such as a retail store...").*

**Claim 3:**

Millikan, as shown, discloses the following limitation:

- *the detection device comprises an RFID (radio frequency identification device) reader for reading an RFID tag carried by the consumer to identify a particular consumer (see at least ¶0024, "...detection... system may be a... field generator/detector that is operative to detect an identification card such as a transponder type card or a smart card...", RFID readers are **Inherent** to smart card and transponder technology).*

**Claim 4:**

Millikan, as shown, discloses the following limitation:

- *the RFID tag can provide a unique code which provides a unique identification of a consumer so that individual consumers can be identified*

*and distinguished from one another (see at least ¶0024, "...card may include the consumer information thereon, or provide consumer identification data...").*

**Claim 5:**

Millikan, as shown, discloses the following limitation:

- *the RFID tag is contained in a card carried by the consumer (see at least ¶0024, "...an identification card such as a transponder type card or a smart card...").*

**Claim 6:**

Millikan, as shown, discloses the following limitations:

- *the output device comprises a transmitter (see at least ¶0027, "...a message generator and transmitter..."),*
- *for wireless transmission of the message to the individual consumer's mobile telephone or PDA (see at least ¶0033, "...a wireless configuration... a PDA of the like...").*

**Claim 17:**

Millikan, as shown, discloses the following limitations:

- *detecting consumers in proximity to a location where merchandise is available to the consumers, without requiring interaction by the consumers (see at least ¶0026, "consumer detection and/or identification system does not require active participation by the customer..."),*
- *outputting a message to a detected consumer providing offers available at the location to the consumer (see at least ¶0013, "...provides targeted advertisements to consumers... at a particular location"),*
- *wherein the detected consumers it therefore able to receive offers without physical interaction on his or her part, and to avail himself or herself of the*

*offers contained in the message at the location (see at least ¶0026, "...system does not require active participation by the consumer...").*

**Claim 19:**

Millikan, as shown, discloses the following limitations:

- *detecting consumers comprises detecting an RFID tag carried by the consumer with an RFID reader to identify a particular consumer (see at least ¶0024, "...detection... system may be a... field generator/detector that is operative to detect an identification card such as a transponder type card or a smart card...", RFID readers are **Inherent** to smart card and transponder technology).*

**Claim 20:**

Millikan, as shown, discloses the following limitations:

- *outputting the message comprises wireless transmission of the message to the individual consumer's mobile telephone or PDA (see at least ¶0033, message providers may communicate wirelessly and may include a PDA or "the like").*

**Claim 25:**

Millikan, as shown, discloses the following limitations:

- *the consumer may identify himself or herself by displaying the message to a person at the checkout terminal, or by swiping a card which contains the user's identifying data at the EPOS terminal (see at least ¶0032, "...swiping of the customer card...").*

**Claim 26:**

Millikan, as shown, discloses the following limitations:

- *compiling a database of information relating to the consumers so that offers applicable to individual consumers can be made based on the data held in the database and particular products which marketers wish to promote by*



*way of offers to consumers so that the offers to consumers are matched with characteristics of the consumers, so that consumers are provided with messages containing offers applicable to that consumer and tailored specifically for that consumer* (see at least ¶0027, "...storage medium is operative to store consumer data... both obtained in real time... and historical consumer data... consumer data is updates by purchase information..., and ¶0029, "[t]he messages are typically pre-recorded and retained in the storage").

#### **Claim Rejections - 35 USC § 103**

- 14.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 15.** The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

- 16.** Claims 7-16 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Millikan (U.S. 2003/0105667) in view of Avallone et al. (U.S. 2002/0147642) and in view of official notice.

#### **Claims 7 and 21:**

Millikan does not disclose the following limitation:

- *the message is an SMS, EMS or MMS message,*

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However, Examiner takes **Official Notice** that it is old and well known in the art that messages sent to mobile phones and PDAs may be SMS, EMS or MMS. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to send text messages to a mobile phone or PDA rather than audio/video messages or in addition to audio/video data (see at least ¶0029) because text messages can be distributed faster and cheaper and require less memory for storage both on a store's servers and on a recipient's device.

**Claim 8 and 22:**

Millikan does not disclose the following limitation, however Avallone, as shown, does:

- *output device is a printer for printing a document containing the offer* (see at least ¶0055, "... a printer for printing our, e.g., discount coupons..."),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the device of Avallone to allow customers to print desired ads or coupons because electronic devices such as cellular phones and PDAs have limitations such as memory or power that limit a customer's accessibility to coupons provided thereon, a printing means helps a customer retain a coupon as well as free-up memory on his/her mobile device.

**Claim 9:**

Millikan, as shown, discloses the following limitation:

- *the system comprises a processor for receiving a target file of offers for individual consumers from a central station, the target offers being based on data held at the central station relating to personal information associated with individual consumers* (see at least ¶0028, the message targeting system ascertains consumer characteristics from the identification system and storage, and ¶0029, uses the characteristics to select a message... the messages may be provided by outside sources such as vendors),

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Millikan does not disclose a central station, or a remote server that serves multiple stores, however, Avallone, as shown, does:

- *central station* (see at least ¶0059, "...the server's controller... enables the first server to access, read from, write to, and/or manipulate personalized information contained in one or more databases, communicate with a transmitter... communicate with one or more mainframe microprocessors... which are disposed locally or, more preferable, remotely from the commercial establishment" and ¶¶0058 and 0061 describing the data contained in databases on the servers),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and advertising storage present numerous efficiencies to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

**Claim 10:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Further, Millikan, as shown, discloses the following limitations:

- *an EPOS terminal connected with the second server so that offers contained in the list for a particular consumer are transmitted from the first server to the second server and then to the EPOS terminal so that when a consumer identifies himself or herself at the EPOS terminal, purchases made by the consumer are provided in accordance with the offers contained in the message to the consumer* (see at least ¶0027, "retail terminals... used to

consummate retail or purchase transactions" and ¶0032, "during checkout at a retail terminal").

Further Examiner takes **Official Notice** that it is old and well known in the art to associate coupon and other customer incentive databases with a POS machine such that coupons are applied or downloaded to the POS upon swiping a customer/loyalty card. Millikan does not disclose multiple servers as in the limitations below, however, Avallone, as shown, does:

- *the first processor comprises a first server for receiving the file (see at least ¶0059, "...the server's controller... enables the first server to access, read from, write to, and/or manipulate personalized information contained in one or more databases, communicate with a transmitter... communicate with one or more mainframe microprocessors... which are disposed locally or, more preferable, remotely from the commercial establishment"),*
- *a second server associated with the location being connected to the first server, and (see at least ¶0060, "[t]he second server communicates with the first server..."),*

Examiner takes **Official Notice** that it is old and well known in the art to network inventory databases (such as those relying on the UPC bar code information for product identification) with POS terminals in stores. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone and to further network a store inventory, POS and customer reward system because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and advertising storage with store specific databases and POS data (especially if they already exist in an establishment) present numerous efficiencies

to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

**Claim 11:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Further, Millikan, as shown, discloses the following limitation:

- *the consumer identifies himself or herself by displaying the message to a person at the EPOS terminal, or by swiping a card which contains the user's identifying data at the EPOS terminal (see at least ¶0032, "...swiping of the customer card...").*

**Claim 12:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Further, Millikan, as shown, discloses the following limitation:

- *the second server is also coupled to a retail server for obtaining data relating to the purchases made by particular customers (see at least ¶0027, the storage medium stores real time consumer data and historical consumer data such as purchase information obtained by "retail terminals").*

**Claim 13:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Millikan does not disclose the following limitation. However, Avallone, as shown, does:

- *a second processor is located at the central location the second processor comprising a head office database connected to the retail server for receiving data from the retail server relating to purchases made by particular customers the head office database holding information relating to the consumers so that offers applicable to individual consumers can be made based on the data held in the database and particular products which marketers wish to promote by way of offers to consumers so that the offers to*

*consumers are matched with characteristics of the consumers, so that consumers are provided with messages containing offers applicable to that consumer and tailored specifically for that consumer* (see at least ¶0059, "...the server's controller... enables the first server to access, read from, write to, and/or manipulate personalized information contained in one or more databases, communicate with a transmitter... communicate with one or more mainframe microprocessors... which are disposed locally or, more preferable, remotely from the commercial establishment" and ¶¶0058 and 0061 describing the data contained in databases on the servers),

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and advertising storage present numerous efficiencies to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

**Claim 14:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Further, Millikan, as shown, discloses the following limitation:

- *the retailer server may also include an inventory system for maintaining inventory data relating to products available at the location and for providing that data to the said database* (see at least ¶0027, "includes a processor 20, a storage medium"),

Millikan does not disclose *server*, however Examiner takes **Official Notice** that it is old and well known in the art to use a server as an electronic storage medium for electronic data. Therefore it would have been obvious to one having ordinary skill in the art at the

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time the invention was made to use a server for the storage medium because servers have greater memory/storage capacity than an ordinary computer and can be more cost effective depending on the amount of data storage needed and the processing speed desired.

**Claim 15:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Millikan does not disclose the following limitation. However, Avallone, as shown, does:

- *the retail server communicates with the second server for providing inventory data from the inventory system relating to products available for sale for use by the EPOS checkout during the purchase of products at the location (see at least ¶0060, "[t]he second server communicates with the first server..."),*

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and advertising storage present numerous efficiencies to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

**Claim 16:**

The combination of Millikan/Avallone discloses the limitations as shown in the rejections above. Further, Millikan, as shown, discloses the following limitations:

- *the second processor further comprises an application server for producing the target file and transmitting the target file to the first server (see at least ¶0029, "[t]he message targeting system... distribute[s] [the message] to the message providers"),*

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- *the first server including a first server database for maintaining a database of specific offers targeted to specific consumers (see at least ¶0029, “[t]he messages are typically pre-recorded and retained in the storage”).*

**Claim 23:**

Millikan, as shown, discloses the following limitations:

- *receiving a target file of offers for individual consumers (see at least ¶0029, “the message targeting system is operative to accept messages, modify messages... messages may be provided by outside sources...),*
- *the target offers being based on data held at the central station relating to personal information associated with individual consumers (see at least ¶0030, “a message is considered targeted in that it relates to the deemed characteristics of a majority of the consumers currently at the establishment...”),*

Millikan does not disclose a central station, or a remote server that serves multiple stores, however, Avallone, as shown, does:

- *from a central station (see at least ¶0059, “...the server’s controller... enables the first server to access, read from, write to, and/or manipulate personalized information contained in one or more databases, communicate with a transmitter... communicate with one or more mainframe microprocessors... which are disposed locally or, more preferable, remotely from the commercial establishment” and ¶¶0058 and 0061 describing the data contained in databases on the servers).*

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and



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advertising storage present numerous efficiencies to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

**Claim 24:**

Millikan, as shown, discloses the following limitation:

- *to an EPOS terminal so that offers contained in the file for a particular consumer are transmitted from the first server to the second server and then to the EPOS terminal so that offers contained in the list for a particular consumer are transmitted from the office server to the store server and then to the EPOS terminal so that when a consumer identifies himself or herself at the EPOS terminal, purchases made by the consumer are provided in accordance with the offers contained in the message to the consumer (see at least ¶0027, "retail terminals... used to consummate retail or purchase transactions" and ¶0032, "during checkout at a retail terminal"),*

Millikan does not disclose a central station, or a remote server that serves multiple stores, however, Avallone, as shown, does:

- *receiving the file at a first server transferring the file to a second server associated with the location (see at least ¶0060, "[t]he second server communicates with the first server..."),*

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the targeted advertising system of Millikan with the networking capabilities, including multiple servers and remote servers, disclosed by Avallone because networking remote servers hosting common use databases (i.e. information that is not particular to a specific store) such as customer information databases and advertising storage present numerous efficiencies to the Millikan invention such as avoiding duplication of equipment and data, improving data accuracy and reducing system installation costs.

### Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Herz et al. U.S. 6,571,279, location enhanced deliver system architecture.
- *A Model for Incorporating Radio Frequency Data Collection (RFDC) Technology in Retail Stores for Seamless Checkout and Integration with e-Business Architecture*, IBM Technical Disclosure Bulletin, Issue 446, page 1050, June 1, 2001. Generally disclosing RFID devices for use within stores to identify customers.
- *Establishing the future of smart shopping*, ComputerWeekly.com, 16 May 2003,  
<http://www.computerweekly.com/Articles/2003/05/16/194615/establishing-the-future-of-smart-shopping.htm> (11 Feb 2008 9:00AM). This article discusses Metro Group's future store equipped with RFID devices for testing applications of RDIF technology in stores including using RFID to enhance loyalty programs, advertising and coupons.
- Bray, Hiawatha. *Privacy Advocate Warns of Microchip Invasion*, Boston Globe, Boston, Mass, March 17, 2003, pg C1. Discloses use of RFID in stores including *beaming ads* to customers.

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- 18.** Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Nathan C Uber** whose telephone number is **571.270.3923**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James A Reagan** can be reached at **571.270.6710**.
- 19.** Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).
- 20.** Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to **571-273-8300**.

- 21.** Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

/Nathan C Uber/Examiner, Art Unit 4143

11 February 2008

/James A. Reagan/Supervisory Patent Examiner, Art Unit 4143